

PROB 12C  
(7/93)

## United States District Court

for

District of New Jersey

### Petition for Warrant or Summons for Offender Under Supervision

Name of Offender : Marcus Cherry 05-00885-01( New Jersey)  
12/12/05 -Transfer of Jurisdiction from New Hampshire (98-60-01)

Name of Sentencing Judicial Officer: Joseph A. DiClerico, Jr. (New Hampshire); assigned to Judge William Walls on 12/12/05

Date of Original Sentence: 07/14/99

Original Offense: Distribution of Cocaine & Cocaine Base (21:841 (a)(1)- (3 counts)

Original Sentence: 72 months imprisonment(concurrent on each count).

Type of Supervision: 3 years supervised release

Date Supervision Commenced: 03/27/04

Assistant U.S. Attorney: Jennifer E. Cole

Defense Attorney: Donald A. Kennedy

### PETITIONING THE COURT

- ☒ To issue a warrant  
☐ To issue a summons

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number    Nature of Noncompliance

1.                    The offender has violated the supervision condition which states '**You shall not leave the judicial district without the permission of the Court or Probation Officer.**'

The offender left the District of New Jersey for unauthorized travel to the District of New Hampshire on November 15, 2005; he returned to New Jersey on November 17, 2005.

2.                    The offender has violated the supervision condition which states '**You shall report to the probation officer as directed by the Court or probation officer, and shall submit a truthful and complete written report within the first five days of each month.**'

The offender failed to report as directed on the following dates: 4/5/05, 6/21/05, 7/21/05, 8/2/05, 8/16/05, 9/6/05, 9/23/05, 10/11/05, 10/18/05, 10/25/05, 11/1/05, 1/17/05, 3/14/05 and 3/21/05.

3. The offender has violated the supervision condition which states '**You shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician.**'

The offender failed to refrain from the use of illicit substances on the following dates: 10/4/05- cocaine; 10/19/05-cocaine; 11/17/05- cocaine..


4. The offender has violated the supervision condition which states '**You shall not commit another federal, state, or local crime.**'

The offender committed a state and local crime as evidenced by his arrest by the Newark Police Department on 3-12-06: he was charged with the commission of Domestic Violence (Simple Assault). .

5. The offender has violated the supervision condition which states '**The defendant shall refrain from the illegal possession and/or use of drugs and shall submit to urinalysis or other forms of testing to ensure compliance. It is further ordered that the defendant shall submit to drug treatment, on an outpatient or inpatient basis, as directed by the U.S. Probation Office. The defendant shall abide by the rules of any program and shall remain in treatment until satisfactorily discharged with the approval of the U.S. Probation Office.**'

The offender failed to attend outpatient substance abuse treatment at the Integrity House Program on the following dates: 10/6/05, 10/13/05, 11/2/05, 11/9/05, 11/15/05, 2/9/06, 3/16/06 and every date thereafter. .

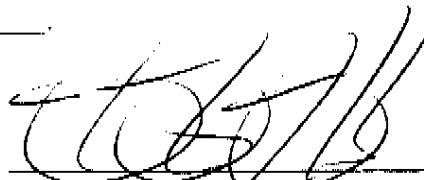
I declare under penalty of perjury that the foregoing is true and correct.


  
By: Maurine Rush-Blossfeld  
Senior U.S. Probation Officer  
Date: 03/24/06

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THE COURT ORDERS:

- ☒ The Issuance of a Warrant  
☐ The Issuance of a Summons. Date of Hearing: \_\_\_\_\_  
☐ No Action  
☐ Other

  
\_\_\_\_\_  
Signature of Judicial Officer

  
\_\_\_\_\_  
Date